

**BALLOT DELIVERY AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Nate Blouin**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions governing manual ballots and ballot drop boxes.

**Highlighted Provisions:**

This bill:

- ▶ makes valid a manual ballot postmarked on election day;
- ▶ requires the return envelope for a manual ballot to be postage prepaid;
- ▶ authorizes an election officer to remove a ballot drop box from a location in certain circumstances; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-1-102**, as last amended by Laws of Utah 2022, Chapters 18, 170

**20A-3a-202**, as last amended by Laws of Utah 2022, Chapters 18, 121 and 156

**20A-3a-204**, as last amended by Laws of Utah 2022, Chapter 156

**20A-5-403.5**, as last amended by Laws of Utah 2022, Chapter 156

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28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **20A-1-102** is amended to read:

30 **20A-1-102. Definitions.**

31 As used in this title:

32 (1) "Active voter" means a registered voter who has not been classified as an inactive  
33 voter by the county clerk.

34 (2) "Automatic tabulating equipment" means apparatus that automatically examines  
35 and counts votes recorded on ballots and tabulates the results.

36 (3) (a) "Ballot" means the storage medium, including a paper, mechanical, or electronic  
37 storage medium, that records an individual voter's vote.

38 (b) "Ballot" does not include a record to tally multiple votes.

39 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters  
40 on the ballot for their approval or rejection including:

41 (a) an opinion question specifically authorized by the Legislature;

42 (b) a constitutional amendment;

43 (c) an initiative;

44 (d) a referendum;

45 (e) a bond proposition;

46 (f) a judicial retention question;

47 (g) an incorporation of a city or town; or

48 (h) any other ballot question specifically authorized by the Legislature.

49 (5) "Bind," "binding," or "bound" means securing more than one piece of paper  
50 together using staples or another means in at least three places across the top of the paper in the  
51 blank space reserved for securing the paper.

52 (6) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and  
53 [20A-4-306](#) to canvass election returns.

54 (7) "Bond election" means an election held for the purpose of approving or rejecting  
55 the proposed issuance of bonds by a government entity.

56 (8) "Business reply mail envelope" means an envelope that may be mailed free of  
57 charge by the sender.

58 (9) "Canvass" means the review of election returns and the official declaration of

59 election results by the board of canvassers.

60 (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at  
61 the canvass.

62 (11) "Contracting election officer" means an election officer who enters into a contract  
63 or interlocal agreement with a provider election officer.

64 (12) "Convention" means the political party convention at which party officers and  
65 delegates are selected.

66 (13) "Counting center" means one or more locations selected by the election officer in  
67 charge of the election for the automatic counting of ballots.

68 (14) "Counting judge" means a poll worker designated to count the ballots during  
69 election day.

70 (15) "Counting room" means a suitable and convenient private place or room for use  
71 by the poll workers and counting judges to count ballots.

72 (16) "County officers" means those county officers that are required by law to be  
73 elected.

74 (17) "Date of the election" or "election day" or "day of the election":

75 (a) means the day that is specified in the calendar year as the day that the election  
76 occurs; and

77 (b) does not include:

78 (i) deadlines established for voting by mail, military-overseas voting, or emergency  
79 voting; or

80 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early  
81 Voting.

82 (18) "Elected official" means:

83 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,  
84 Municipal Alternate Voting Methods Pilot Project;

85 (b) a person who is considered to be elected to a municipal office in accordance with  
86 Subsection 20A-1-206(1)(c)(ii); or

87 (c) a person who is considered to be elected to a local district office in accordance with  
88 Subsection 20A-1-206(3)(b)(ii).

89 (19) "Election" means a regular general election, a municipal general election, a

90 statewide special election, a local special election, a regular primary election, a municipal  
91 primary election, and a local district election.

92 (20) "Election Assistance Commission" means the commission established by the Help  
93 America Vote Act of 2002, Pub. L. No. 107-252.

94 (21) "Election cycle" means the period beginning on the first day persons are eligible to  
95 file declarations of candidacy and ending when the canvass is completed.

96 (22) "Election judge" means a poll worker that is assigned to:

- 97 (a) preside over other poll workers at a polling place;
- 98 (b) act as the presiding election judge; or
- 99 (c) serve as a canvassing judge, counting judge, or receiving judge.

100 (23) "Election officer" means:

- 101 (a) the lieutenant governor, for all statewide ballots and elections;
- 102 (b) the county clerk for:
  - 103 (i) a county ballot and election; and
  - 104 (ii) a ballot and election as a provider election officer as provided in Section  
105 [20A-5-400.1](#) or [20A-5-400.5](#);
- 106 (c) the municipal clerk for:
  - 107 (i) a municipal ballot and election; and
  - 108 (ii) a ballot and election as a provider election officer as provided in Section  
109 [20A-5-400.1](#) or [20A-5-400.5](#);
- 110 (d) the local district clerk or chief executive officer for:
  - 111 (i) a local district ballot and election; and
  - 112 (ii) a ballot and election as a provider election officer as provided in Section  
113 [20A-5-400.1](#) or [20A-5-400.5](#); or
- 114 (e) the business administrator or superintendent of a school district for:
  - 115 (i) a school district ballot and election; and
  - 116 (ii) a ballot and election as a provider election officer as provided in Section  
117 [20A-5-400.1](#) or [20A-5-400.5](#).

118 (24) "Election official" means any election officer, election judge, or poll worker.

119 (25) "Election results" means:

- 120 (a) for an election other than a bond election, the count of votes cast in the election and

121 the election returns requested by the board of canvassers; or

122 (b) for bond elections, the count of those votes cast for and against the bond  
123 proposition plus any or all of the election returns that the board of canvassers may request.

124 (26) "Election returns" includes the pollbook, the military and overseas absentee voter  
125 registration and voting certificates, one of the tally sheets, any unprocessed ballots, all counted  
126 ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and  
127 the total votes cast form.

128 (27) "Electronic signature" means an electronic sound, symbol, or process attached to  
129 or logically associated with a record and executed or adopted by a person with the intent to sign  
130 the record.

131 (28) "Inactive voter" means a registered voter who is listed as inactive by a county  
132 clerk under Subsection 20A-2-306(4)(c)(i) or (ii).

133 (29) "Judicial office" means the office filled by any judicial officer.

134 (30) "Judicial officer" means any justice or judge of a court of record or any county  
135 court judge.

136 (31) "Local district" means a local government entity under Title 17B, Limited Purpose  
137 Local Government Entities - Local Districts, and includes a special service district under Title  
138 17D, Chapter 1, Special Service District Act.

139 (32) "Local district officers" means those local district board members that are required  
140 by law to be elected.

141 (33) "Local election" means a regular county election, a regular municipal election, a  
142 municipal primary election, a local special election, a local district election, and a bond  
143 election.

144 (34) "Local political subdivision" means a county, a municipality, a local district, or a  
145 local school district.

146 (35) "Local special election" means a special election called by the governing body of a  
147 local political subdivision in which all registered voters of the local political subdivision may  
148 vote.

149 (36) "Manual ballot" means a paper document produced by an election officer on  
150 which an individual records an individual's vote by directly placing a mark on the paper  
151 document using a pen or other marking instrument.

152 (37) "Mechanical ballot" means a record, including a paper record, electronic record, or  
153 mechanical record, that:

154 (a) is created via electronic or mechanical means; and

155 (b) records an individual voter's vote cast via a method other than an individual directly  
156 placing a mark, using a pen or other marking instrument, to record an individual voter's vote.

157 (38) "Municipal executive" means:

158 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102;

159 (b) the mayor in the council-manager form of government defined in Subsection

160 10-3b-103(7); or

161 (c) the chair of a metro township form of government defined in Section 10-3b-102.

162 (39) "Municipal general election" means the election held in municipalities and, as

163 applicable, local districts on the first Tuesday after the first Monday in November of each

164 odd-numbered year for the purposes established in Section 20A-1-202.

165 (40) "Municipal legislative body" means:

166 (a) the council of the city or town in any form of municipal government; or

167 (b) the council of a metro township.

168 (41) "Municipal office" means an elective office in a municipality.

169 (42) "Municipal officers" means those municipal officers that are required by law to be  
170 elected.

171 (43) "Municipal primary election" means an election held to nominate candidates for  
172 municipal office.

173 (44) "Municipality" means a city, town, or metro township.

174 (45) "Official ballot" means the ballots distributed by the election officer for voters to  
175 record their votes.

176 (46) "Official endorsement" means the information on the ballot that identifies:

177 (a) the ballot as an official ballot;

178 (b) the date of the election; and

179 (c) (i) for a ballot prepared by an election officer other than a county clerk, the

180 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or

181 (ii) for a ballot prepared by a county clerk, the words required by Subsection

182 20A-6-301(1)(b)(iii).

183 (47) "Official register" means the official record furnished to election officials by the  
184 election officer that contains the information required by Section 20A-5-401.

185 (48) "Political party" means an organization of registered voters that has qualified to  
186 participate in an election by meeting the requirements of Chapter 8, Political Party Formation  
187 and Procedures.

188 (49) (a) "Poll worker" means a person assigned by an election official to assist with an  
189 election, voting, or counting votes.

190 (b) "Poll worker" includes election judges.

191 (c) "Poll worker" does not include a watcher.

192 (50) "Pollbook" means a record of the names of voters in the order that they appear to  
193 cast votes.

194 (51) "Polling place" means a building where voting is conducted.

195 (52) "Position" means a square, circle, rectangle, or other geometric shape on a ballot  
196 in which the voter marks the voter's choice.

197 (53) "Presidential Primary Election" means the election established in Chapter 9, Part  
198 8, Presidential Primary Election.

199 (54) "Primary convention" means the political party conventions held during the year  
200 of the regular general election.

201 (55) "Protective counter" means a separate counter, which cannot be reset, that:

202 (a) is built into a voting machine; and

203 (b) records the total number of movements of the operating lever.

204 (56) "Provider election officer" means an election officer who enters into a contract or  
205 interlocal agreement with a contracting election officer to conduct an election for the  
206 contracting election officer's local political subdivision in accordance with Section  
207 20A-5-400.1.

208 (57) "Provisional ballot" means a ballot voted provisionally by a person:

209 (a) whose name is not listed on the official register at the polling place;

210 (b) whose legal right to vote is challenged as provided in this title; or

211 (c) whose identity was not sufficiently established by a poll worker.

212 (58) "Provisional ballot envelope" means an envelope printed in the form required by  
213 Section 20A-6-105 that is used to identify provisional ballots and to provide information to

214 verify a person's legal right to vote.

215 (59) (a) "Public figure" means an individual who, due to the individual being  
216 considered for, holding, or having held a position of prominence in a public or private capacity,  
217 or due to the individual's celebrity status, has an increased risk to the individual's safety.

218 (b) "Public figure" does not include an individual:

219 (i) elected to public office; or

220 (ii) appointed to fill a vacancy in an elected public office.

221 (60) "Qualify" or "qualified" means to take the oath of office and begin performing the  
222 duties of the position for which the individual was elected.

223 (61) "Receiving judge" means the poll worker that checks the voter's name in the  
224 official register at a polling place and provides the voter with a ballot.

225 (62) "Registration form" means a form by which an individual may register to vote  
226 under this title.

227 (63) "Regular ballot" means a ballot that is not a provisional ballot.

228 (64) "Regular general election" means the election held throughout the state on the first  
229 Tuesday after the first Monday in November of each even-numbered year for the purposes  
230 established in Section [20A-1-201](#).

231 (65) "Regular primary election" means the election, held on the date specified in  
232 Section [20A-1-201.5](#), to nominate candidates of political parties and candidates for nonpartisan  
233 local school board positions to advance to the regular general election.

234 (66) "Resident" means a person who resides within a specific voting precinct in Utah.

235 (67) "Return envelope" means the postage prepaid envelope, described in Subsection  
236 [20A-3a-202](#)(4), provided to a voter with a manual ballot:

237 (a) into which the voter places the manual ballot after the voter has voted the manual  
238 ballot in order to preserve the secrecy of the voter's vote; and

239 (b) that includes the voter affidavit and a place for the voter's signature.

240 (68) "Sample ballot" means a mock ballot similar in form to the official ballot,  
241 published as provided in Section [20A-5-405](#).

242 (69) "Special election" means an election held as authorized by Section [20A-1-203](#).

243 (70) "Spoiled ballot" means each ballot that:

244 (a) is spoiled by the voter;

245 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

246 (c) lacks the official endorsement.

247 (71) "Statewide special election" means a special election called by the governor or the  
248 Legislature in which all registered voters in Utah may vote.

249 (72) "Tabulation system" means a device or system designed for the sole purpose of  
250 tabulating votes cast by voters at an election.

251 (73) "Ticket" means a list of:

252 (a) political parties;

253 (b) candidates for an office; or

254 (c) ballot propositions.

255 (74) "Transfer case" means the sealed box used to transport voted ballots to the  
256 counting center.

257 (75) "Vacancy" means the absence of a person to serve in any position created by  
258 statute, whether that absence occurs because of death, disability, disqualification, resignation,  
259 or other cause.

260 (76) "Valid voter identification" means:

261 (a) a form of identification that bears the name and photograph of the voter which may  
262 include:

263 (i) a currently valid Utah driver license;

264 (ii) a currently valid identification card that is issued by:

265 (A) the state; or

266 (B) a branch, department, or agency of the United States;

267 (iii) a currently valid Utah permit to carry a concealed weapon;

268 (iv) a currently valid United States passport; or

269 (v) a currently valid United States military identification card;

270 (b) one of the following identification cards, whether or not the card includes a  
271 photograph of the voter:

272 (i) a valid tribal identification card;

273 (ii) a Bureau of Indian Affairs card; or

274 (iii) a tribal treaty card; or

275 (c) two forms of identification not listed under Subsection (76)(a) or (b) but that bear

276 the name of the voter and provide evidence that the voter resides in the voting precinct, which  
277 may include:

278 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the  
279 election;

280 (ii) a bank or other financial account statement, or a legible copy thereof;

281 (iii) a certified birth certificate;

282 (iv) a valid social security card;

283 (v) a check issued by the state or the federal government or a legible copy thereof;

284 (vi) a paycheck from the voter's employer, or a legible copy thereof;

285 (vii) a currently valid Utah hunting or fishing license;

286 (viii) certified naturalization documentation;

287 (ix) a currently valid license issued by an authorized agency of the United States;

288 (x) a certified copy of court records showing the voter's adoption or name change;

289 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

290 (xii) a currently valid identification card issued by:

291 (A) a local government within the state;

292 (B) an employer for an employee; or

293 (C) a college, university, technical school, or professional school located within the  
294 state; or

295 (xiii) a current Utah vehicle registration.

296 (77) "Valid write-in candidate" means a candidate who has qualified as a write-in  
297 candidate by following the procedures and requirements of this title.

298 (78) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:

299 (a) mailing the ballot to the location designated in the mailing; or

300 (b) depositing the ballot in a ballot drop box designated by the election officer.

301 (79) "Voter" means an individual who:

302 (a) meets the requirements for voting in an election;

303 (b) meets the requirements of election registration;

304 (c) is registered to vote; and

305 (d) is listed in the official register book.

306 (80) "Voter registration deadline" means the registration deadline provided in Section

307 20A-2-102.5.

308 (81) "Voting area" means the area within six feet of the voting booths, voting  
309 machines, and ballot box.

310 (82) "Voting booth" means:

311 (a) the space or compartment within a polling place that is provided for the preparation  
312 of ballots, including the voting enclosure or curtain; or

313 (b) a voting device that is free standing.

314 (83) "Voting device" means any device provided by an election officer for a voter to  
315 vote a mechanical ballot.

316 (84) "Voting precinct" means the smallest geographical voting unit, established under  
317 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

318 (85) "Watcher" means an individual who complies with the requirements described in  
319 Section 20A-3a-801 to become a watcher for an election.

320 (86) "Write-in ballot" means a ballot containing any write-in votes.

321 (87) "Write-in vote" means a vote cast for an individual, whose name is not printed on  
322 the ballot, in accordance with the procedures established in this title.

323 Section 2. Section 20A-3a-202 is amended to read:

324 **20A-3a-202. Conducting election by mail.**

325 (1) (a) Except as otherwise provided for an election conducted entirely by mail under  
326 Section 20A-7-609.5, an election officer shall administer an election primarily by mail, in  
327 accordance with this section.

328 (b) An individual who did not provide valid voter identification at the time the voter  
329 registered to vote shall provide valid voter identification before voting.

330 (2) An election officer who administers an election:

331 (a) shall in accordance with Subsection (3), no sooner than 21 days before election day  
332 and no later than seven days before election day, mail to each active voter within a voting  
333 precinct:

334 (i) a manual ballot;

335 (ii) a return envelope;

336 (iii) instructions for returning the ballot that include an express notice about any  
337 relevant deadlines that the voter must meet in order for the voter's vote to be counted;

338 (iv) for an election administered by a county clerk, information regarding the location  
339 and hours of operation of any election day voting center at which the voter may vote or a  
340 website address where the voter may view this information;

341 (v) for an election administered by an election officer other than a county clerk, if the  
342 election officer does not operate a polling place or an election day voting center, a warning, on  
343 a separate page of colored paper in bold face print, indicating that if the voter fails to follow the  
344 instructions included with the ballot, the voter will be unable to vote in that election because  
345 there will be no polling place for the voting precinct on the day of the election; and

346 (vi) [~~after May 1, 2022;~~] instructions on how a voter may sign up to receive electronic  
347 ballot status notifications via the ballot tracking system described in Section [20A-3a-401.5](#);

348 (b) may not mail a ballot under this section to:

349 (i) an inactive voter, unless the inactive voter requests a manual ballot; or

350 (ii) a voter whom the election officer is prohibited from sending a ballot under  
351 Subsection (10)(c)(ii); and

352 (c) shall, on the outside of the envelope in which the election officer mails the ballot,  
353 include instructions for returning the ballot if the individual to whom the election officer mails  
354 the ballot does not live at the address to which the ballot is sent.

355 (3) (a) An election officer who mails a manual ballot under Subsection (2) shall mail  
356 the manual ballot to the address:

357 (i) provided at the time of registration; or

358 (ii) if, at or after the time of registration, the voter files an alternate address request  
359 form described in Subsection (3)(b), the alternate address indicated on the form.

360 (b) The lieutenant governor shall make available to voters an alternate address request  
361 form that permits a voter to request that the election officer mail the voter's ballot to a location  
362 other than the voter's residence.

363 (c) A voter shall provide the completed alternate address request form to the election  
364 officer no later than 11 days before the day of the election.

365 (4) The return envelope shall include:

366 (a) prepaid postage;

367 (b) the name, official title, and post office address of the election officer on the front of  
368 the envelope;

369            ~~[(b)]~~ (c) a space where a voter may write an email address and phone number by which  
 370 the election officer may contact the voter if the voter's ballot is rejected;

371            ~~[(c)]~~ (d) a printed affidavit in substantially the following form:

372            "County of \_\_\_\_ State of \_\_\_\_

373            I, \_\_\_\_, solemnly swear that: I am a qualified resident voter of the \_\_\_\_ voting precinct  
 374 in \_\_\_\_ County, Utah and that I am entitled to vote in this election. I am not a convicted felon  
 375 currently incarcerated for commission of a felony.

376

\_\_\_\_\_  
 Signature of Voter"; and

377

378            ~~[(d)]~~ (e) a warning that the affidavit must be signed by the individual to whom the  
 379 ballot was sent and that the ballot will not be counted if the signature on the affidavit does not  
 380 match the signature on file with the election officer of the individual to whom the ballot was  
 381 sent.

382            (5) If the election officer determines that the voter is required to show valid voter  
 383 identification, the election officer may:

384            (a) mail a ballot to the voter;

385            (b) instruct the voter to include a copy of the voter's valid voter identification with the  
 386 return ballot; and

387            (c) provide instructions to the voter on how the voter may sign up to receive electronic  
 388 ballot status notifications via the ballot tracking system described in Section [20A-3a-401.5](#).

389            (6) An election officer who administers an election shall:

390            (a) (i) before the election, obtain the signatures of each voter qualified to vote in the  
 391 election; or

392            (ii) obtain the signature of each voter within the voting precinct from the county clerk;  
 393 and

394            (b) maintain the signatures on file in the election officer's office.

395            (7) Upon receipt of a returned ballot, the election officer shall review and process the  
 396 ballot under Section [20A-3a-401](#).

397            (8) A county that administers an election:

398            (a) shall provide at least one election day voting center in accordance with ~~[Chapter 3a,~~  
 399 ~~Part 7, Election Day Voting Center]~~ Part 7, Election Day Voting Center, and at least one

400 additional election day voting center for every 5,000 active voters in the county who have  
401 requested to not receive a ballot by mail;

402 (b) shall ensure that each election day voting center operated by the county has at least  
403 one voting device that is accessible, in accordance with the Help America Vote Act of 2002,  
404 Pub. L. No. 107-252, for individuals with disabilities;

405 (c) may reduce the early voting period described in Section 20A-3a-601, if:

406 (i) the county clerk conducts early voting on at least four days;

407 (ii) the early voting days are within the period beginning on the date that is 14 days  
408 before the date of the election and ending on the day before the election; and

409 (iii) the county clerk provides notice of the reduced early voting period in accordance  
410 with Section 20A-3a-604;

411 (d) is not required to pay return postage for a ballot; and

412 (e) is subject to an audit conducted under Subsection (9).

413 (9) (a) The lieutenant governor shall:

414 (i) develop procedures for conducting an audit of affidavit signatures on ballots cast in  
415 an election conducted under this section; and

416 (ii) after each primary, general, or special election conducted under this section, select  
417 a number of ballots, in varying jurisdictions, to audit in accordance with the procedures  
418 developed under Subsection (9)(a)(i).

419 (b) The lieutenant governor shall post the results of an audit conducted under this  
420 Subsection (9) on the lieutenant governor's website.

421 (10) (a) An individual may request that the election officer not send the individual a  
422 ballot by mail in the next and subsequent elections by submitting a written request to the  
423 election officer.

424 (b) An individual shall submit the request described in Subsection (10)(a) to the  
425 election officer before 5 p.m. no later than 60 days before an election if the individual does not  
426 wish to receive a ballot by mail in that election.

427 (c) An election officer who receives a request from an individual under Subsection  
428 (10)(a):

429 (i) shall remove the individual's name from the list of voters who will receive a ballot  
430 by mail; and

- 431 (ii) may not send the individual a ballot by mail for:  
432 (A) the next election, if the individual submits the request described in Subsection  
433 (10)(a) before the deadline described in Subsection (10)(b); or  
434 (B) an election after the election described in Subsection (10)(c)(ii)(A).  
435 (d) An individual who submits a request under Subsection (10)(a) may resume the  
436 individual's receipt of a ballot by mail by submitting a written request to the election officer.

437 Section 3. Section **20A-3a-204** is amended to read:

438 **20A-3a-204. Marking and depositing ballots.**

439 (1) To vote by mail:

440 (a) except as provided in Subsection (6), the voter shall prepare the voter's manual  
441 ballot by marking the appropriate space with a mark opposite the name of each candidate of the  
442 voter's choice for each office to be filled;

443 (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the  
444 appropriate space with a mark opposite the answer the voter intends to make;

445 (c) except as provided in Subsection (6), the voter shall record a write-in vote in  
446 accordance with Subsection [20A-3a-206\(1\)](#);

447 (d) except as provided in Subsection (6), a mark is not required opposite the name of a  
448 write-in candidate; and

449 (e) the voter shall:

450 (i) complete and sign the affidavit on the return envelope;

451 (ii) place the voted ballot in the return envelope;

452 (iii) if required, place a copy of the voter's valid voter identification in the return  
453 envelope;

454 (iv) securely seal the return envelope; and

455 (v) (A) [~~attach postage, if necessary, and~~] deposit the return envelope in the mail; or

456 (B) place the return envelope in a ballot drop box, designated by the election officer,  
457 for the precinct where the voter resides.

458 (2) (a) Except as otherwise provided in Section [20A-16-404](#), to be valid, a ballot that is  
459 mailed must be:

460 (i) clearly postmarked on or before election day, or otherwise clearly marked by the  
461 post office as received by the post office on or before election day; and

462 (ii) received in the office of the election officer before noon on the day of the official  
463 canvass following the election.

464 (b) Except as provided in Subsection (2)(c), to be valid, a ballot shall, before the polls  
465 close on election day, be deposited in:

466 (i) a ballot box at a polling place; or

467 (ii) a ballot drop box designated by an election officer for the jurisdiction to which the  
468 ballot relates.

469 (c) An election officer may, but is not required to, forward a ballot deposited in a ballot  
470 drop box in the wrong jurisdiction to the correct jurisdiction.

471 (d) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at a  
472 ballot drop box, with a sealed return envelope containing a ballot in the voter's possession, to  
473 deposit the ballot in the ballot drop box.

474 (3) Except as provided in Subsection (4), to vote at a polling place the voter shall, after  
475 complying with Subsections (1)(a) through (d):

476 (a) sign the official register or pollbook; and

477 (b) (i) place the ballot in the ballot box; or

478 (ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot  
479 envelope, complete the information printed on the provisional ballot envelope, and deposit the  
480 provisional ballot envelope in the provisional ballot box.

481 (4) (a) An individual with a disability may vote a mechanical ballot at a polling place.

482 (b) An individual other than an individual with a disability may vote a mechanical  
483 ballot at a polling place if permitted by the election officer.

484 (5) To vote a mechanical ballot, the voter shall:

485 (a) make the selections according to the instructions provided for the voting device;

486 and

487 (b) subject to Subsection (6), record a write-in vote by:

488 (i) selecting the appropriate position for entering a write-in candidate; and

489 (ii) using the voting device to enter the name of the valid write-in candidate for whom  
490 the voter wishes to vote.

491 (6) To vote in an instant runoff voting race under [~~Title 20A, Chapter 4, Part 6,~~  
492 ~~Municipal Alternate Voting Methods Pilot Project~~] Chapter 4, Part 6, Municipal Alternate

493 Voting Methods Pilot Project, a voter:

494 (a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's  
495 first preference for the office; and

496 (b) may indicate, as directed on the ballot, the names of the remaining candidates in  
497 order of the voter's preference.

498 (7) A voter who votes at a polling place:

499 (a) shall mark and cast or deposit the ballot without delay and shall leave the voting  
500 area after voting; and

501 (b) may not:

502 (i) occupy a voting booth occupied by another, except as provided in Section  
503 [20A-3a-208](#);

504 (ii) remain within the voting area more than 10 minutes; or

505 (iii) occupy a voting booth for more than five minutes if all booths are in use and other  
506 voters are waiting to occupy a voting booth.

507 (8) If the official register shows any voter as having voted, that voter may not reenter  
508 the voting area during that election unless that voter is an election official or watcher.

509 (9) A poll worker may not, at a polling place, allow more than four voters more than  
510 the number of voting booths into the voting area at one time unless those excess voters are:

511 (a) election officials;

512 (b) watchers; or

513 (c) assisting voters with a disability.

514 Section 4. Section **20A-5-403.5** is amended to read:

515 **20A-5-403.5. Ballot drop boxes.**

516 (1) An election officer:

517 (a) shall designate at least one ballot drop box in each municipality and reservation  
518 located in the jurisdiction to which the election relates;

519 (b) may designate additional ballot drop boxes for the election officer's jurisdiction;

520 (c) shall clearly mark each ballot drop box as an official ballot drop box for the election  
521 officer's jurisdiction;

522 (d) shall provide 24-hour video surveillance of each unattended ballot drop box; and

523 (e) shall post a sign on or near each unattended ballot drop box indicating that the

524 ballot drop box is under 24-hour video surveillance.

525 (2) Except as provided in Section 20A-1-308 or Subsection (5), the election officer  
526 shall, at least 19 days before the date of the election, provide notice of the location of each  
527 ballot drop box designated under Subsection (1):

528 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in  
529 the jurisdiction holding the election;

530 (ii) by posting one notice, and at least one additional notice per 2,000 population of the  
531 jurisdiction holding the election, in places within the jurisdiction that are most likely to give  
532 notice to the residents in the jurisdiction, subject to a maximum of 10 notices; or

533 (iii) by mailing notice to each registered voter in the jurisdiction holding the election;

534 (b) by posting notice on the Utah Public Notice Website, created in Section  
535 63A-16-601, for 19 days before the day of the election; and

536 (c) by posting notice on the jurisdiction's website for 19 days before the day of the  
537 election.

538 (3) Instead of including the location of ballot drop boxes, a notice required under  
539 Subsection (2) may specify the following sources where a voter may view or obtain a copy of  
540 all ballot drop box locations:

541 (a) the jurisdiction's website;

542 (b) the physical address of the jurisdiction's offices; and

543 (c) a mailing address and telephone number.

544 (4) The election officer shall include in the notice described in Subsection (2):

545 (a) the address of the Statewide Electronic Voter Information Website and, if available,  
546 the address of the election officer's website, with a statement indicating that the election officer  
547 will post on the website the location of each ballot drop box, including any changes to the  
548 location of a ballot drop box and the location of additional ballot drop boxes; and

549 (b) a phone number that a voter may call to obtain information regarding the location  
550 of a ballot drop box.

551 (5) (a) Except as provided in Section 20A-1-308, the election officer may, after the  
552 deadline described in Subsection (2):

553 (i) if necessary, change the location of a ballot drop box; or

554 (ii) if the election officer determines that the number of ballot drop boxes is

555 insufficient due to the number of registered voters who are voting, designate additional ballot  
556 drop boxes.

557 (b) Except as provided in Section 20A-1-308, if an election officer changes the  
558 location of a ballot box or designates an additional ballot drop box location, the election officer  
559 shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or  
560 the additional ballot drop box location:

561 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;

562 (ii) by posting the information on the website of the election officer, if available; and

563 (iii) by posting notice:

564 (A) for a change in the location of a ballot drop box, at the new location and, if  
565 possible, the old location; and

566 (B) for an additional ballot drop box location, at the additional ballot drop box  
567 location.

568 (6) An election officer may, at any time, authorize two or more poll workers to remove  
569 ~~[a ballot drop box from a location, or to remove]~~ ballots from a ballot drop box for processing.

570 (7) Subject to Subsections (8) and (9), an election officer may, at any time, authorize  
571 two or more poll workers to remove a ballot drop box from a location if the election officer  
572 determines:

573 (a) that the election officer's jurisdiction lacks the resources to remove the ballot drop  
574 box shortly after the polls close on election day; or

575 (b) that removal is necessary to protect the integrity of the ballots deposited in the  
576 ballot drop box.

577 (8) If a ballot drop box is removed for the reason described in Subsection (7)(a), the  
578 election officer shall:

579 (a) before removing the ballot drop box:

580 (i) give notice of the removal to the lieutenant governor, for posting on the Statewide  
581 Voter Information Website; and

582 (ii) post notice of the removal on the website of the election officer, if available; and

583 (b) post notice, at the time of removal, at the location of the ballot drop box.

584 (9) If a ballot drop box is removed for the reason described in Subsection (7)(b), the  
585 election officer shall, as soon as is reasonably possible after removing the ballot drop box:

586           (a) give notice of the removal to the lieutenant governor, for posting on the Statewide  
587 Voter Information Website;

588           (b) post notice of the removal on the website of the election officer, if available; and

589           (c) post notice at the location of the ballot drop box.

590           (10) The notice described in Subsections (8)(b) and (9)(c) shall include information  
591 about the location of the nearest ballot drop box in the election officer's jurisdiction.

592           ~~(7)~~ (11) (a) At least two poll workers must be present when a poll worker collects  
593 ballots from a ballot drop box and delivers the ballots to the location where the ballots will be  
594 opened and counted.

595           (b) An election officer shall ensure that the chain of custody of ballots placed in a  
596 ballot box are recorded and tracked from the time the ballots are removed from the ballot box  
597 until the ballots are delivered to the location where the ballots will be opened and counted.